

KENTUCKY LABOR CABINET  
DEPARTMENT OF WORKPLACE STANDARDS  
803 KAR 2:180 - Recordkeeping; Reporting; Statistics



803 KAR 2:180 establishes that employers are required to report workplace fatalities, amputations, in-patient hospitalizations, or the loss of an eye to the Division of Occupational Safety and Health Compliance. This document provides the regulation, information regarding 803 KAR 2:180, and a quick-reference table summarizing the reporting requirements.

**Section 1. Definitions.**

- (1) "Amputation" means an injury in which a portion of the body including bone tissue is removed.
- (2) "Employee" is defined by KRS 338.015(2).
- (3) "Employer" is defined by KRS 338.015(1).
- (4) "Loss of eye" means the physical removal of an eye from the socket.
- (5) "Occupational Safety and Health Act" means KRS Chapter 338.
- (6) "Secretary of Labor" means the Secretary of the United States Department of Labor or the Secretary of the Labor Cabinet.
- (7) "Section 11(c) of the Act" means KRS 338.121(3).

**Section 2.** An employer shall comply with the following federal regulations published by the Office of the Federal Register, National Archives and Records Administration, except as modified by the definitions in Section 1 and the requirements of Section 3 of this administrative regulation:

- (1) 29 C.F.R. Part 1904, effective July 1, 2014; and
- (2) Beginning January 1, 2016, the revisions to 29 C.F.R. Part 1904 as published in the September 18, 2014 Federal Register, Volume 79, Number 181.

**Section 3. Reporting Fatalities, Amputations, In-Patient Hospitalizations, or Loss of Eye.**

The reporting requirements established in this section shall apply in lieu of 29 C.F.R. 1904.39.

(1) An employer shall orally report to the Kentucky Labor Cabinet, Department of Workplace Standards, Division of Occupational Safety and Health Compliance, at (502) 564-3070, any work-related incident that results in the:

- (a) Death of any employee; or
- (b) Hospitalization of three (3) or more employees.

(2) The report required pursuant to subsection (1) of this section shall be made within eight (8) hours from when the incident is reported to the employer, the employer's agent, or another employee. If the employer cannot speak with someone in the Frankfort office, the employer shall report the incident using the OSHA toll-free, central telephone number, 1-800-321-OSHA (1-800-321-6742).

(3) An employer shall orally report to the Kentucky Labor Cabinet, Department of Workplace Standards, Division of Occupational Safety and Health Compliance, at (502) 564-3070, any work-related incident that results in:

- (a) An amputation suffered by an employee;
- (b) An employee's loss of an eye; or
- (c) The hospitalization of fewer than three (3) employees within seventy-two (72) hours following the incident.

(4) The report required pursuant to subsection (3) of this section shall be made within seventy-two (72) hours from when the incident is reported to the employer, the employer's agent, or another employee.

(5) The requirement to report the loss of an eye pursuant to subsection (3)(b) of this section shall be effective January 1, 2016.

## 803 KAR 2:180 - Recordkeeping; Reporting; Statistics

Reporting Workplace Fatalities, Amputations, In-Patient Hospitalizations, or Loss of Eye  
Information Bulletin

January 2016

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### **What employers are covered by 803 KAR 2:180?**

The requirements apply to all employers as defined in KRS 338.015. That includes private and public sector general industry, private and public sector construction, and public sector maritime employers.

### **What are the reporting requirements?**

Employers must report any employee death, in-patient hospitalization, loss of eye and amputation resulting from a work-related incident.

### **How much time do employers have to report a fatality?**

All fatalities must be reported within eight (8) hours.

### **How much time do employers have to report a hospitalization, loss of eye, or amputation?**

- Incidents which result in the hospitalization of three (3) or more employees must be reported within eight (8) hours.
- Incidents which result in the hospitalization of one (1) or two (2) employees, if the hospitalization occurs within seventy-two (72) hours of the incident, must be reported within seventy-two (72) hours.
- All amputations must be reported within seventy-two (72) hours of the incident.
- The loss of an eye must be reported within seventy-two (72) hours of the incident.

### **What if I don't learn about an incident right away?**

If you do not learn of a reportable incident when it occurs, you must make the report within eight (8) or seventy-two (72) hours, depending on the type of incident, from the time the incident is reported to you, your agent(s), or employee(s).

### **Who do I contact?**

Make your report to the Division of Occupational Safety and Health Compliance at (502) 564-3070. If you cannot reach the Division of Occupational Safety and Health Compliance, call the OSHA Hotline at 1-800-321-OSHA (6742).

### **What information should I provide?**

- The establishment name and address.
- The date and time of the incident.
- The location of the incident.
- The number of fatalities or hospitalized employees.
- The names of affected employees.
- If an amputation, the body part amputated and the type of machine.
- A description of the incident.
- A contact person with a call back number.

### **Additional cost-free assistance is available from:**

Division of Occupational Safety and Health Education and Training  
US HWY 127 South, Suite 4  
Frankfort, KY 40601  
(502) 564-3070  
[www.labor.ky.gov](http://www.labor.ky.gov)

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### Reporting Workplace Fatalities, Amputations, In-Patient Hospitalizations, and Loss of Eye Information Bulletin

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<b>Incident</b>	<b>Reporting Time</b> *	<b>Report To</b>
Fatality	Report within 8 hours	Division of OSH Compliance (502) 564-3070  After Hours (800) 321-6742
3 or more employees hospitalized	Report within 8 hours	Division of OSH Compliance (502) 564-3070  After Hours (800) 321-6742
1 or 2 employees hospitalized	Report within 72 hours **	Division of OSH Compliance (502) 564-3070  After Hours (800) 321-6742
Amputation	Report within 72 hours	Division of OSH Compliance (502) 564-3070  After Hours (800) 321-6742
Loss of eye	Report within 72 hours	Division of OSH Compliance (502) 564-3070  After Hours (800) 321-6742

\* Reporting time is the time from which an employer, employer's agent, or another employee first becomes aware of the fatality, hospitalization, or amputation.

\*\* Hospitalizations of one (1) or two (2) employees which occur more than seventy-two (72) hours following an incident are not required to be reported.